

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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FRANCISCO CAMACHO and  
EVELYN CAMACHO,

Plaintiffs,

-against-

THE CITY OF NEW YORK, NEW YORK CITY,  
POLICE OFFICER SANTOS, 83<sup>rd</sup> precinct,  
POLICE OFFICER JOHN BARTEK shield # 29956,  
POLICE OFFICER BLAINE HENNIG shield # 15888,  
POLICE OFFICER ANDY URENA, shield # 7427,  
POLICE OFFICER ABRAHAM ORTIZ 22342  
POLICE OFFICER DWIGHT THOMAS, shield # 12846  
POLICE SERGEANT KEITH HOWELL, shield # 3772  
POLICE OFFICER GREGORY CHAVOUS, shield # 6660  
POLICE OFFICER LOUIS MORSELLI, shield # 28587  
POLICE OFFICER MICHAEL HARVEY, shield # 1830  
POLICE OFFICERS JOHN/JANE DOE(S) #'s 1-5,

Defendants.  
-----X

**NOTICE OF MOTION  
FOR PARTIAL  
JUDGMENT ON THE  
PLEADINGS**

07 Civ. 5581 (SHS)

**PLEASE TAKE NOTICE** that, upon the Declaration of Michael Chestnov dated November 30, 2007, and the exhibits annexed thereto, the memorandum of law dated November 30, 2007, and upon all prior pleadings and proceedings herein, defendants City of New York, Jose Santos (sued herein as “Police Officer Santos, 83<sup>rd</sup> Precinct”), John Bartek and Blaine Hennig (hereinafter the “City defendants”) will move this Court before the Honorable Sidney H. Stein, United States District Judge, at the United States District Court for the Southern District of New York, located at 500 Pearl Street, New York, New York, at a date and time to be determined by the Court, for dismissal of plaintiff Francisco Camacho’s false arrest claim with prejudice, pursuant to Rule 12(c) and for such other and further relief as the Court deems just and proper.

**PLEASE TAKE FURTHER NOTICE** that pursuant to the Order of the Honorable Sidney H. Stein, United States District Judge, plaintiff's opposition papers, if any, should be served on the undersigned no later than December 14, 2007, and

**PLEASE TAKE FURTHER NOTICE** that pursuant to the Order of the Honorable Sidney H. Stein, United States District Judge, the City defendants' reply papers, if any, shall be served on plaintiff by December 21, 2007.

Dated: New York, New York  
November 30, 2007

MICHAEL A. CARDOZO  
Corporation Counsel of the  
City of New York  
Attorney for the City Defendants  
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By: /s  
Michael Chestnov  
Assistant Corporation Counsel  
Special Federal Litigation Division

To: David A. Zelman, Esq.  
Attorney for Plaintiff  
612 Eastern Parkway  
Brooklyn, NY 11225 (Via E.C.F. and First Class Mail)